United Nations S/2015/36

Security Council

Distr.: General
19 January 2015

Original: English

Report of the Secretary-General on the United Nations Office in Burundi

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2137(2014), in which the Council extended the mandate of the United Nations Office in Burundi (BNUB) until 31 December 2014 and requested me to inform it on progress on the benchmarks, the implementation of the mandate of BNUB and of the resolution, the conditions that affect such implementation, and the transition of BNUB to the United Nations country team. The report provides an update since my previous report of 31 July 2014 (S/2014/550) and is structured around the benchmarks. The baselines and indicators of progress are reviewed in additional detail in the annex to the present report.

II. Over a decade of United Nations field missions in Burundi

2. The civil war that followed the assassination in 1993 of the first democratically elected President of Burundi, Melchior Ndadaye, ravaged the country for over a decade, killing some 300,000 Burundians and displacing over 1 million while destroying much of the country's economy. The conflict led the United Nations to increase its political involvement in Burundi in 1993, when the United Nations Office in Burundi (UNOB) was established as a confidence-building measure to facilitate the restoration of constitutional rule in the country.

3. United Nations support increased further with the establishment of the United Nations Operation in Burundi (ONUB) pursuant to Security Council resolution 1545 (2004). The mission began operations on 1 June 2004 with a broad focus on supporting the implementation of the 2000 Arusha Peace and Reconciliation Agreement for Burundi (hereinafter referred to as the "Arusha Accords"). The mission's mediation support, which included chairing the Implementation Monitoring Committee of the Arusha Agreement, was critical in helping to foster agreement on key challenges, including the extension of the transitional period, which provided the time necessary to hold national elections and draw up a new constitution. ONUB also assisted the Regional Peace Initiative led by the President of Uganda in facilitating negotiations between the Government and the last major armed group, Palipehutu-Forces nationales de libération (FNL), which led to a ceasefire agreement in 2006 and the integration of the group into the peace process.

14-68150 (E) 200115

Please recycle

4. By the time its mandate ended on 31 December 2006, ONUB had successfully facilitated the implementation of ceasefire agreements and helped to improve security throughout the country. It played a key role in assisting the disarmament and demobilization of some 22,000 combatants and supported the complex process that led to the creation of an integrated national police force and the rightsizing of the Burundian army from 80,000 to 30,000. ONUB also helped to establish the Independent National Electoral Commission (Commission électorale nationale indépendante (CENI)), provided critical support to the organization of the first post-transition democratic elections and strongly advocated for and mobilized the participation of women in the electoral process.

5. The United Nations Integrated Office in Burundi (BINUB), established pursuant to Security Council resolution 1719 (2006), succeeded ONUB on 1 January 2007. BINUB assisted the Government in its efforts towards long-term peace and security throughout the peace consolidation phase. It also supported the implementation of the ceasefire agreement between the Government and Palipehutu-FNL. After the ceasefire was breached in 2008, BINUB assisted the Regional Peace Initiative and other stakeholders in facilitating agreements that led to the cessation of all hostilities. In addition, the Office was instrumental in supporting the demobilization, disarmament and reintegration of former Palipehutu-FNL combatants and the transformation of Palipehutu-FNL into a political party.

6. To help to ensure that the country's reconciliation and transitional justice process would be fully owned by the population, BINUB organized, jointly with the Government and civil society, a series of consultations in 2009 and 2010 with a wide range of stakeholders throughout Burundi. The Office helped the Government to establish and strengthen national institutions, including the Anti-corruption Brigade and Court, the National Communication Council, the National Security Council, the Permanent Forum for Dialogue among the Political Parties and the Office of the Ombudsman, while also providing support to CENI to prepare and hold the country's second post-transition elections.

7. The United Nations Office in Burundi (BNUB),established on 1 January 2011 pursuant to Security Council resolution 1959 (2010), succeeded BINUB and was mandated to support the consolidation of peace, democracy and development. The mission was instrumental in promoting and strengthening an inclusive political dialogue in the aftermath of the 2010 elections, which had been boycotted by several opposition parties and led to increased political polarization and deepening mistrust. This dialogue ultimately led to the return of exiled politicians in 2013 and their continued participation in political processes. BNUB also played a central role in helping the Government, the opposition and civil society to build a solid legal and political framework, consisting of several consensual agreements, for the 2015 elections. The adoption of an electoral road map, a new electoral law and a code of conduct are key tools to guide the country towards a peaceful and inclusive electoral process.

8. In addition, BNUB helped to strengthen and build the capacity of existing Government institutions and supported the establishment of the Independent National Commission on Human Rights, which was internationally recognized for its crucial role in promoting and monitoring human rights in Burundi. The mission also continued to help the Government to enact sector-wide security reforms and deepen regional integration and provided advice on measures to combat corruption and undertake inclusive transitional justice and reconciliation processes.

III. Progress in peace consolidation

A. Democratic process

9. The political situation in Burundi remains tense. Opposition leaders have increasingly objected to the stance of CENI on electoral issues, its perceived lack of transparency in the implementation of the electoral calendar and its interpretation of the electoral law, which led to the exclusion from CENI consultations of those considered "political actors", most of whom are former leaders of key opposition parties who now represent wings that are not recognized by the Government. Political tensions and the deep mistrust between the ruling party and other stakeholders, including opposition parties and civil society organizations, persist, notwithstanding the efforts to foster political dialogue and the reduction in political violence perpetrated by Imbonerakure, the youth wing of the ruling Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie (CNDD-FDD). Despite such hurdles and, unlike in 2010, all stakeholders, including opposition parties, have continually reaffirmed their determination to take part in the 2015 elections.

10. In early August, the opposition coalition Alliance démocratique pour le changement-Ikibiri (ADC-Ikibiri) and several civil society organizations, including the Observatoire de lutte contre la corruption et les malversations économiques (OLUCOME), accused the Government of planning to rig the voter registration process and the elections through the alleged fraudulent distribution of national identity cards by local administrative officials in six provinces to members of the ruling CNDD-FDD, including children below the voting age. To register for the electoral roll, citizens are required to present their identity cards. On 11 August, the Minister of the Interior rejected the allegations and urged local administrators to ensure the issuance of identity cards to all eligible citizens.

11. On 9 and 10 August, representatives of Sahwanya-Front pour la démocratie au Burundi (Sahwanya-FRODEBU) and the Mouvement pour la solidarité et le développement (MSD) in Cibitoke and Bubanza Provinces alleged the forced collection of money from citizens by CNDD-FDD members to support the party's preparations for the 2015 elections. On 11 August, the spokesperson of CNDD-FDD rejected the allegations but acknowledged that the party had launched an appeal for voluntary contributions from its members and sympathizers. In a similar vein, on 25 August, ADC-Ikibiri and FRODEBU-Nyakuri accused CNDD-FDD of intimidating members of opposition parties in Rumonge, Bururi Province, by compiling lists of local inhabitants and their political affiliations. The spokesperson of CNDD-FDD denied that the party had conducted or authorized the conduct of any form of census and called upon the police to arrest and punish those involved.

12. Since the announcement of the electoral calendar, opposition parties have frequently criticized the management of the electoral process by CENI, questioned its credibility and accused it of irregularities, lack of transparency, bias and attempted pre-electoral fraud. The President of CENI and ruling party officials have rejected those accusations as baseless. On 12 August, the spokesperson of CENI announced that it would not accept the candidacies of politicians who had pending judicial cases against them, alleging that that would render them ineligible to vote or be elected. In addition, the spokesperson of the Supreme Court announced on 20 August that all presidential candidates in the 2015 elections would have to

provide CENI with an "attestation de non poursuite", a document certifying that there are no pending lawsuits against them, and identified the President of Sahwanya-FRODEBU, Frédéric Bamvuginyumvira, and the former leader of FNL, Agathon Rwasa, as two of the individuals who would fall foul of that requirement. Mr. Bamvuginyumvira was arrested in December 2013 for adultery, public indecency and attempted corruption of an officer of the law, while Mr. Rwasa has been accused by chiefs of the Congolese Tutsi community in Burundi of the alleged involvement of his rebel movement, Palipehutu-FNL, in the 2004 massacre of Congolese Banyamulenge in a transit camp in Gatumba. Both Mr. Bamvuginyumvira and Mr. Rwasa have denied the validity of the claims. The President of Sahwanya-FRODEBU and ADC-Ikibiri denounced the requirement as a CNDD-FDD strategy to exclude opposition candidates from the electoral process. On 23 October, the President of CENI rejected those accusations and stated on 5 December that all candidates with pending court cases could vote and be elected.

13. On 20 August, the spokesperson of Sahwanya-FRODEBU called upon CENI to comply with the Electoral Code by revising the electoral calendar so as to allow for the establishment of the provincial and communal independent electoral commissions prior to voter registration. At a meeting with civil society organizations and political parties on 26 August, the President of CENI agreed that voter registration should commence only after the establishment of those commissions. The provincial and communal independent electoral commissions were established on 1 October and 28 October respectively. Voter registration began on 24 November and was extended to 12 December.

14. On 4 September, the President of CENI announced plans to hold broad consultations with political parties and civil society organizations, including religious denominations and provincial governors, to select candidates for the provincial and communal independent electoral commissions. The President stated that "political actors" could not participate in the process since their role is not specified in the Constitution or in the Electoral Code and involving them in the consultations would therefore be unlawful. The Minister of the Interior called upon political actors to create their own political parties, join registered coalitions of political parties or run as independent candidates. On 4 December, Agathon Rwasa, the former President of FNL, announced that he and his supporters would participate in the electoral process as independent candidates.

15. On 16 September, 10 political parties and the ADC-Ikibiri coalition addressed a letter to CENI requesting it to respect Burundian law, deploring alleged irregularities, lack of transparency and attempted fraud in the electoral process and calling upon CENI to ensure the inclusion of all political parties and actors in the provincial and communal independent electoral commissions. On 16 October, the President of Sahwanya-FRODEBU and ADC-Ikibiri claimed that members of CNDD-FDD and civil society organizations sympathetic to the party accounted for the majority of the membership of the provincial independent electoral commissions. They also maintained that the approach of CENI called into question the credibility of the entire electoral process. On 13 October, MSD pulled out of the provincial independent electoral commissions after CENI swapped two of its members in the commissions in the provinces of Gitega and Ngozi without the party's consent. Citing its insufficient representation, the civil society organization OLUCOME announced on 30 October its decision to pull out of the provincial independent electoral commissions. It subsequently withdrew from the communal

commissions as well. On 1 December, ADC-Ikibiri withdrew from the provincial as well as the communal independent electoral commissions while reaffirming its determination to remain engaged in the electoral process.

16. CENI held two meetings, on 1 and 5 December, with electoral stakeholders, including "political actors" who had been excluded from previous meetings, to assess the voter registration process. The President of CENI assured participants that the dialogue between CENI and all interested stakeholders would become permanent. However, opposition leaders continued to denounce various irregularities observed prior to and during the voter registration, notably the alleged fraudulent distribution of identity cards, and called for the suspension of the voter registration process, which CENI ruled out.

17. Meanwhile, on 2 October, the High Court of Bujumbura Mairie sentenced Léonce Ngendakumana to one year in prison. He had been accused by the CNDD-FDD party and Radio Rema FM of making damaging allegations and false accusations and inciting racial hatred. The accusations were made in relation to a letter that Mr. Ngendakumana sent to me on behalf of ADC-Ikibiri on 6 February. In the letter, he called upon on the international community to exert pressure on the CNDD-FDD–led Government to forestall "political genocide", warned against an impending humanitarian disaster in Burundi and likened Imbonerakure, the CNDD-FDD youth wing, to the Rwandan Interahamwe. Mr. Ngendakumana's lawyers denounced the trial as politically motivated and filed an appeal against the sentence. Meanwhile, Mr. Ngendakumana continued to carry out his political activities.

18. On 23 October, the Government and BNUB organized, in Gitega, a third workshop to evaluate the implementation of the electoral road map towards the 2015 elections. Some 150 participants attended the workshop, including Government officials, political parties and actors, representatives of civil society organizations and religious communities, the media and the international community. "Political actors", including former Union pour le progrès national (UPRONA), Union pour la paix et le développement (UPD)and FNL leaders Charles Nditije, Chauvineau Mugwengezo, Pascaline Kampayano and Agathon Rwasa, deplored their exclusion from the consultations organized by CENI as part of the electoral process, which they viewed as a violation of the electoral road map and the code of conduct for the 2015 elections. The Government reiterated its commitment to continue engaging in dialogue with opposition parties, while opposition leaders and political actors reaffirmed their willingness to participate in the 2015 elections despite their reservations about the electoral process to date.

19. On 28 November, President Nkurunziza reshuffled his entire Office, including two of his closest advisers. He appointed General Alain Guillaume Bunyoni, his Chief of Staff, as Permanent Secretary of the National Security Council and the Head of the National Intelligence Service, General Adolphe Nshimirima, as Officer in Charge of Special Duties. Mr. Bunyoni and Mr. Nshimirima were replaced by Anatole Manirakiza, a former Vice-President of the Senate, and General Godefroid Niyombare, a former Chief of Army Staff, respectively.

B. Security and stability

20. The security situation in the country remained relatively stable despite a temporary spike in crime and increased concern about possible terrorist attacks. At a

meeting in Bujumbura on 3 November, the Minister of the Interior indicated that the Government had sufficient evidence that terrorist groups were preparing attacks in the country, in particular against churches and markets. He called upon religious leaders to warn members of their communities to be vigilant. The period between August and October also witnessed an increase in crime, especially grenade attacks, assaults and armed robberies, mostly in Bujumbura Mairie, Bujumbura Rural, Bururi and Mwaro Provinces. The occurrence of criminal incidents is facilitated by the ready availability of unexploded ordnance and small arms and light weapons in the country.

21. There was a sharp reduction in clashes between Government forces and armed groups, from 11 clashes in the first half of 2014 to 3 since August. On 5 October, an armed group attacked military positions of the Force de défensenationale (FDN) in the Rukoko Natural Reserve on the border with the Democratic Republic of the Congo. During that clash, one of the attackers was killed and another wounded. The spokesperson of the army denied that a rebel group was operating in the park and attributed the incident to armed bandits. A spokesperson of the FNL faction led by Aloys Nzabampema claimed responsibility and announced further attacks before the elections in 2015.

22. In a press briefing on 3 October, an FDN spokesperson indicated that Burundian soldiers were stationed in the eastern Democratic Republic of the Congo to foster the exchange of information between the two countries with regard to peace and security in the area and to assist the armed forces of the Democratic Republic of the Congo in fighting armed groups in the country's Uvira highlands. Between 6 and 11 October, some 150 Burundian soldiers withdrew from the Kiliba-Ondes area in South Kivu Province, Democratic Republic of the Congo. The Government of Burundi has not commented on the troop withdrawal.

23. BNUB continued to advocate for increased respect for human rights in the defence and security forces. BNUB, in collaboration with the Independent National Commission on Human Rights, concluded a three-month training course to help to professionalize the country's defence and security forces in accordance with international human rights standards. On 1 September, 35 military, police and intelligence officers were certified as human rights trainers.

C. Transitional justice

24. Since the promulgation of the law on the Truth and Reconciliation Commission on 15 May, the process of establishing Burundi's transitional justice mechanisms has continued to come under criticism from many stakeholders, including the Conference of Catholic Bishops. In an open letter signed on 4 September, the bishops deplored the lack of consultation in the lead-up to the adoption of the law by the National Assembly on 17 April and insisted that the commissioners should be individuals of the utmost integrity and able to conduct their work on the basis of the principles of inclusiveness and participation. Many opposition parties and civil society organizations also stated that their views had not been taken into account in drafting the law. As a result, leading opposition parties continue to boycott the process and some civil society organizations have been reluctant to participate therein.

25. On 3 December, the National Assembly elected 11 individuals to serve as commissioners of the Truth and Reconciliation Commission. The membership of the Commission is ethnically mixed, includes four women and is chaired by two religious leaders. It is composed of six representatives of religious communities and five members of political parties. UPRONA boycotted the election of the Commission members, citing insufficient inclusivity of the process. Some civil society organizations highlighted the alleged failure to take on board the outcome of the 2009 national consultations, including the recommendation to select a civil society representative as a commissioner.

D. Governance and institution-building

26. While some steps have been taken to address corruption, anti-corruption policies have thus far produced few results and corruption in the country remains widespread. According to the Corruption Perceptions Index compiled by Transparency International, Burundi's ranking fell by two places, to 159th out of 175 countries. In his address to the nation on 26 August, President Nkurunziza acknowledged the existence of corruption among Government officials and stressed the need to find appropriate measures to address the problem. In a positive development, as in 2013 and 2012, the Burundian Revenue Authority registered an increase in its revenue collection. It collected revenues amounting to 630 billion Burundi francs($401 million) in 2014, compared with 505 billion($322 million) in 2013.

27. Nevertheless, civil society organizations active in the fight against corruption continued to denounce acts of corruption and embezzlement of public funds. On 26 August, the President of Parole et actions pour le réveil des consciences et l'évolution des mentalités (PARCEM) claimed that the zero tolerance policy against corruption initiated by President Nkurunziza had failed, noting that, allegedly, not a single senior official declared his or her assets before taking office as required by the Law on the Prevention and Punishment of Corruption. Meanwhile, the President of OLUCOME was temporarily detained on 25 September to prevent him from undertaking an anti-corruption march in Bujumbura.

28. The Government took some steps towards revising the legal framework for the fight against corruption. On 16 and 17 October, it organized a two-day workshop in Gitega, funded by the United Nations Development Programme (UNDP) and bilateral partners, to identify the main shortcomings in the current law and recommend ways of reforming the current legal framework. The approximately 100 participants from several ministries and State institutions, the Anti-corruption Brigade and Court, civil society and the international community agreed on the need to, inter alia, reform the legal framework of the Office of the Comptroller and Auditor General (Inspection générale de l'Etat) and the Court of Audit (Cour des comptes) in conformity with international standards and ensure that internal audit structures are set up in autonomous bodies.

29. BNUB also continued to provide funding and technical assistance to the anti-corruption efforts of the Ministry of Justice. On 1 October, it funded the organization of a workshop on the validation of a strategic plan to fight corruption in the justice sector. The workshop approved the strategic plan, which will be implemented by a follow-up committee within the Ministry of Justice.

E. Rule of law

30. Efforts to strengthen the protection of witnesses and victims have been advancing, but progress in building an independent, accessible and credible justice system has been slow. No steps were taken by the Ministry of Justice to implement the recommendations on the High Judicial Council highlighted by the Independent National Commission on Human Rights in its June 2014 report. The working group on the independence of justice also was not convened. Although a follow-up committee to the National Conference on Justice (Etats généraux de la justice) was established by the Minister of Justice on 10 February 2014, its inclusiveness was challenged by several national and international stakeholders, who highlighted that, contrary to the committee's terms of reference, bar associations and civil society organizations were denied membership.

31. Tensions also persisted between the Union of Burundian Magistrates (SYMABU) and the Minister of Justice. By a ministerial order, on 12 August the Ministry of Justice suspended the President of SYMABU from his post as magistrate for a period of two months for absence without leave. The President of SYMABU had allegedly been summoned by the Office of the Prosecutor General in Gitega on the day of his absence. The decision was perceived by members of the Union as targeting the new executive of SYMABU, a body that the Minister of Justice has not recognized.

32. During the reporting period, some progress was nevertheless achieved in the area of the protection of victims and witnesses. On 30 September, a workshop was jointly organized by BNUB and UNDP in Bujumbura to validate the findings of a study on the protection of victims and witnesses. Thirty participants took part, including representatives from the justice sector, the police, civil society and academia, as well as technical and financial partners. A draft bill on the protection of victims and witnesses was prepared and submitted to the Government and other stakeholders on 26 November.

F. Human rights

33. During the reporting period, the number of extrajudicial killings and cases of torture and ill-treatment, as well as politically motivated acts carried out by Imbonerakure, the youth wing of the ruling CNDD-FDD, substantially decreased. However, ongoing impunity, continued threats against journalists and human rights defenders and severe restrictions on freedoms of assembly and expression remain a serious impediment to the creation of a conducive environment for the 2015 elections.

34. Between August and December, BNUB recorded a monthly average of 3 politically motivated incidents involving Imbonerakure, compared with an average of 14 such incidents documented between January and July. On 23 August, the President of CNDD-FDD stated that Imbonerakure was not on the ground to replace the police, but rather to indicate areas where security was precarious. He also warned members of the youth wing that anyone who committed a crime would be held individually accountable. Similarly, there was also a marked decrease in the number of extrajudicial killings and cases of torture and ill-treatment. BNUB documented 24 cases of torture and ill-treatment compared with 43 during the

previous reporting period, and three extrajudicial killings compared with four in the first half of 2014. None of the killings were politically motivated.

35. However, violations of the right to freedom of expression, peaceful assembly and association by local authorities and the police persisted. BNUB documented seven cases of intimidation against journalists and members of civil society organizations and opposition parties that were allegedly carried out by local administrative officials and the police. BNUB also documented 17 cases where the activities of civil society organizations and opposition parties were disrupted and requests for peaceful public demonstrations or meetings were denied by administrative officials or the police despite fulfilment of the legal requirements.

36. No significant progress was made in the fight against impunity. Of the 138 cases of extrajudicial killings documented by BNUB since 2011, only 34 cases have been tried in a court of law, including 3 of the 7 cases documented in 2014. No perpetrator of torture documented in 2014 has thus far been tried in a court of law.

37. During the period under review, the human rights situation in Burundi also attracted the attention of the international community. On 18 September, the European Parliament adopted a resolution expressing concern about the human rights situation in the country, while firmly condemning the detention of Pierre Claver Mbonimpa, the President of Association burundaise pour la protection des droits humains et des personnes détenues, and calling for his immediate and unconditional release owing to his deteriorating health. Mr. Mbonimpa was arrested on 16 May and accused of endangering State security for having declared on radio that some young Burundians were receiving paramilitary training in the Democratic Republic of the Congo. He was granted provisional release by the High Court of Bujumbura on 29 September on health grounds, following a review of his case by a medical commission set up by the court on 10 September.

38. The Special Rapporteur on the situation of human rights defenders, Michel Forst, conducted a visit to Burundi from 15 to 25 November at the invitation of the Government. In a press conference on 25 November, Mr. Forst criticized repeated threats against human rights defenders and journalists and recalled that a free and independent media capable of exposing abuses of power and corruption was essential to safeguard civil liberties, promote transparency and foster the broad participation of citizens in public life. He also noted that the draft bill on associations contains provisions that violate international norms and imperil the principle of free association. He called upon Burundi to adopt a law ensuring the legal status of human rights defenders, as other African countries have done in the past.

39. BNUB continued to provide technical support to the Independent National Commission on Human Rights, including assistance in the preparation of an alternative report to the Committee against Torture. The report was presented by the President of the Commission in November at a meeting of the Committee against Torture on 11 November. In the period under review, BNUB also carried out a project to contribute to the establishment of a human rights observation network composed of 13 prominent human rights non-governmental organizations, which have pooled their expertise and resources to conduct human rights monitoring throughout Burundi ahead of the elections.

G. Social and economic development

40. Burundi continues to be one of the poorest countries in the world and ranks 180th out of 187 countries on the 2014 human development index. Improvements in health and education notwithstanding, a large majority of the population continues to live below the poverty line.

41. On 25 August, the Executive Board of the International Monetary Fund (IMF) completed the fifth review of Burundi's economic performance. While the country's economy was expected to grow by 4.7 per cent in 2014, IMF noted that the medium-term macroeconomic outlook was challenging owing to possible risks arising from election-related uncertainty, economic disruptions and violence, all of which could impact investment and growth. The review further warned of the high likelihood that the political and security situation could deteriorate, which in turn could curtail Government spending and lead to social unrest and lower growth. In addition, aid might shrink if Burundi's partners were to conclude that the country has made insufficient progress in strengthening human rights and the rule of law.

42. On 30 July, the National Assembly of Burundi released a revised budget for 2014 to address a deficit of 45 billion Burundi francs in early 2014. The new budget is geared towards offsetting revenue losses in the first half of the year. The measures introduced by the budget include, inter alia, the elimination of deductible value added tax exemptions on imports, the reintroduction of the 1 per cent minimum turnover tax, and taxes on telecommunications, tobacco, flour, sugar, petroleum products, beverages and other goods. A widening budget deficit in 2015 could curtail the ability of the Government to mitigate risks resulting from the country's vulnerability to external economic shocks and the fragile political situation ahead of the 2015 elections.

43. The Office of the United Nations High Commissioner for Refugees (UNHCR) and humanitarian partners continued to provide protection and assistance to approximately 58,000 refugees and asylum seekers who reside in Bujumbura and four refugee camps in the various provinces. Since August 2014, some 1,148 asylum seekers fleeing continued fighting between the Congolese Armed Forces and Mai Mai militias in the eastern Democratic Republic of the Congo have arrived in Burundi. UNHCR also continued advocacy and close collaboration with the Ministry of National Solidarity, Human Rights and Gender to offer an estimated 78,000 internally displaced persons full access to durable solutions, including local integration. A pilot project for the voluntary return of 320 households living in five internally displaced person settlements was launched in July 2014. In addition, seven workshops on peace consolidation and peaceful coexistence were organized from September to November 2014 in Ngozi, Kirundo and Gitega Provinces.

IV. Cross-cutting issues

A. Gender

44. In view of the 2015 elections, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) provided support to women's civil society organizations in order to increase the political participation of women and to political parties in the implementation of action plans to mainstream gender into

their programmes and policies. UN-Women co-organized a workshop, held from 27 to 31 October, a that led to the adoption of several formal commitments by CENI to mainstream gender into its strategy and plans throughout the electoral cycle.

45. UN-Women also placed emphasis on increasing the involvement of women in peace consolidation initiatives at the community level, especially with respect to the 2015 elections. A two-day retreat was held with women's civil society organizations on 17 and 18 October in Ijenda, Bujumbura Rural Province, to develop a network of women mediators. As part of the initiative, 516 women will be selected and trained to promote peace, assist in solving conflicts within communities and report on incidents of gender-based violence.

46. To prevent and address sexual and gender-based violence, the Burundian National Police, with the support of UN-Women, adopted a two-year action plan on 22 September. In addition, UN-Women started awareness-raising campaigns in August to transform the beliefs, attitudes and behaviour of communities regarding violence against women and girls and to increase the awareness of women and girls about the availability of support services.

B. Child protection

47. To strengthen the capacity of the Government to implement minimum standards for children living in institutions and deprived of family care, the United Nations Children's Fund (UNICEF) trained 49 Government social workers in July in the provinces of Gitega, Kirundo, Kayanza and Bujumbura Mairie on alternative care guidelines, case management and other topics. UNICEF also strengthened the capacity of the Child and Family Department of the Ministry of National Solidarity, Human Rights and Gender to undertake case management of vulnerable children through the establishment of a child protection information management system in July.

48. There are continuing efforts to build the capacity of the justice and the police sectors in child rights and juvenile justice. In that regard, UNICEF and the International Bureau for Child Rights conducted training for 133 juvenile judges in Gitega and Ngozi in August and September. In October, they also trained 30 police instructors at the Police Academy to become trainers.

49. UNICEF continues to build the capacity of the National Children's Forum, a participative structure for children to exchange and discuss issues of concern to them. Within that framework, 903 forum members were trained in 17 provinces on 27 and 28 August on various topics, including human and child rights, interpersonal communication and advocacy. Another 25 child journalists participated in training sessions on conflict-sensitive journalism from 8 to 12 September in Bujumbura.

C. Activities relating to the Peacebuilding Commission

50. The Chair of the Burundi configuration of the Peacebuilding Commission, Ambassador Paul Seger of Switzerland, continued to work closely with my Special Representative, the Government and key partners to strengthen support for the consolidation of peace in Burundi. As part of his engagement, the Chair addressed the Security Council during its session on the situation in Burundi on 5 November,

stressing the importance of ensuring an inclusive electoral process and calling upon all political actors in Burundi to participate in the elections and refrain from any action that could increase tensions.

51. The Chair of the Burundi configuration participated in the round table held on 11 and 12 December in Bujumbura, to assess progress against mutual commitments made at the Geneva Partners Conference in 2012 and reinvigorate the relationship between Burundi and its international partners. The round table was opened by President Nkurunziza and attended by Gervais Rufyikiri, Second Vice-President of Burundi, Laurent Kavakure, Minister for External Relations and International Cooperation, Jeffrey Feltman, my Under-Secretary-General for Political Affairs, Parfait Onanga-Anyanga, my Special Representative for Burundi, and Oscar Fernandez-Taranco, my Assistant Secretary-General for Peacebuilding Support. The round table adopted a communiqué that highlighted important progress made to date and re-emphasized the mutual commitments of the Government and its partners adopted at the 2012 Geneva Partners Conference, including a commitment to support Burundi in organizing free, transparent, inclusive and peaceful elections in 2015.

52. In August 2014, the first project of the third peacebuilding priority plan was approved by the Bujumbura-based Joint Steering Committee. The $2 million project focuses on strengthening the protection of human rights and is being implemented through the Office of the United Nations High Commissioner for Human Rights (OHCHR). The project supports, inter alia, the establishment of one new regional office of the Independent National Commission on Human Rights and focal points in 13 provinces to ensure better coverage of the provinces. In November, two projects focusing on the empowerment of women, to be implemented by UN-Women, were approved.

V. Transition of the United Nations Office in Burundi to the United Nations country team

53. On 31 December, the mandate and drawdown of BNUB came to an end, as requested by the Security Council in its resolution 2137 (2014) and on the basis of the Joint Transition Plan submitted to the Council on 14 May. The implementation of the Plan was led by the Transition Steering Group, co-chaired by my Special Representative and the Burundian Minister for External Relations and International Cooperation, and was accompanied by an external and internal communication strategy that relayed key messages to stakeholders throughout the transition process.

54. Ensuring continuity in facilitating political dialogue and high-level advocacy is critical to further consolidating peace after the drawdown of BNUB. Activities in that area will be undertaken by a combination of actors, including the United Nations Electoral Observer Mission in Burundi (to be known by the French acronym MENUB) and relevant United Nations regional political offices, in close coordination with regional and international partners, including the African Union, the East African Community, the International Conference on the Great Lakes Region and the European Union. My Special Envoy for the Great Lakes Region, Saïd Djinnit, and my Special Representative and Head of the United Nations Regional Office for Central Africa, Abdoulaye Bathily, used the occasion of their

visits to Burundi in October and December to renew the Organization's commitment to continued political engagement in Burundi following the withdrawal of BNUB.

55. In the period under review, the United Nations continued to provide support to the electoral process through the UNDP-managed electoral assistance project, while MENUB, which was deployed on 1 January 2015, will observe, follow and report on the 2015 electoral processes. My Special Envoy and Head of MENUB, Cassam Uteem, assumed his responsibilities on 1 January and started engaging with Burundian electoral stakeholders to help to foster the conditions for peaceful, inclusive and credible elections.

56. United Nations agencies, funds and programmes have taken over the lead on international support to governance and institution-building, including technical support to the Parliament, the Office of the Ombudsman and the Anti-corruption Brigade. With the support of the Global Focal Point for Police, Justice and Corrections, a rule of law strategy was drafted with strategic recommendations to strengthen and focus United Nations country team support to those areas.

57. On 11 August, the Government approved the continued presence of OHCHR immediately after the departure of BNUB, on the basis of the 1995 host country agreement. On 10 December, the Peacebuilding Support Office approved, as an exceptional measure, an amount of $888,725 in support of the immediate start-up of the office as of 1 January to enable OHCHR to continue its monitoring of the human rights situation without interruption for a period of six months in the lead-up to the elections.

58. My Under-Secretary-General for Political Affairs visited Burundi from 10 to 12 December to meet with national, regional and international stakeholders on the margins of the round table on follow-up to the 2012 Geneva Partners Conference and to mark the end of BNUB. In line with its staff drawdown plan, BNUB gradually reduced the number of staff throughout the second half of 2014. All BNUB staff received a package of career development training and guidance, while a job fair was organized in Bujumbura on 24 September to support career prospects for national staff.

VI. Observations

59. Burundi has come a long way since the signing of the Arusha Accords more than 14 years ago. The Arusha Accords marked the beginning of a transitional period underpinned by a commitment to power-sharing, ethnically balanced institutions, the development of a new Constitution, the establishment of a transitional government, elections and the promise of national reconciliation. However, progress is not limited to these key achievements. Ethnic-based hostilities and tensions have declined significantly over the past decade and the current political landscape is dominated by competition between the ruling party and the opposition, not by ethnicity. In addition, Burundi today is much safer and more secure than a decade ago, as manifested by the drastic reduction in armed clashes, cases of torture and extrajudicial killings. The army, once a perpetrator of violence, has transformed itself into a pillar of stability and ethnic unity that enjoys the confidence of Burundians while helping to secure peace elsewhere in Africa. After a 12-year gap, Burundi has organized two elections since 2005 and is currently preparing for a third one. In a clear break with the past, the past two elections did

not lead to large-scale killings, despite the country's long history of election-related violence. Burundi has seen the number of displaced persons dwindle from over 1 million to fewer than 100,000 today, while the participation of women in political and economic life has risen significantly.

60. These achievements, and the spirit of Arusha on which they were built, have resulted in almost a decade of peace. Today, Burundi has the chance to move beyond its violent past towards a future of lasting peace and stability. Today's children are the country's first generation since independence with no direct experience of conflict. It is the responsibility of today's leaders to break the cycle of strife and ensure that this generation is also the country's first to learn about war only from stories and history books.

61. Burundi is at peace, but it cannot rest on its laurels. The country must ensure that its significant accomplishments are not reversed. The main driver of Burundi's conflict, namely political exclusion and the struggle for power, still exists. Too many Burundians still suffer from high levels of poverty and unemployment. The political landscape is marred by polarization and political space is limited. Weak institutions, corruption and human rights violations remain prevalent. These grievances of the population, if left unaddressed, could eventually lead to a recurrence of conflict.

62. Politically, Burundi is at a crossroads. The 2015 elections could either consolidate or unravel the peace consolidation efforts undertaken since the Arusha Accords. The spirit of Arusha, which enshrined the principles of dialogue, consensus and democracy, and the peaceful settlement of disputes, has been eroding, especially since the 2010 elections, which ushered in a period of increased mistrust, polarization and political tensions. Political space has been shrinking as a result of restrictive laws. Opposition supporters face intimidation, harassment and political violence. The right of the opposition and civil society to free assembly and expression continues to be violated. Dialogue between political stakeholders continues, but the consensual agreements that have emerged from that dialogue have not been fully implemented. Opposition leaders have faced various charges and fear that they could be prevented from taking part in the elections. The perceived imbalance in the composition of provincial and communal electoral commissions and reports of irregularities in the voter registration process are a continued source of concern. These developments have the potential to call into question the credibility of the elections and the democratic process as a whole. If left unchecked, they could trigger electoral violence, with potentially devastating consequences for Burundi and the Great Lakes region.

63. To avoid such a scenario, I urge the Government to open political space and ensure a conducive environment for the holding of free, fair and inclusive elections. I also call upon CENI to do more to ensure inclusiveness and manage the electoral process with integrity, impartiality and independence. While I welcome recent steps by CENI to reach out to electoral stakeholders and address some of their concerns, it is critical that the Commission undertake effective measures to strengthen the public's confidence in the electoral process. Meanwhile, the opposition must play its part and remain engaged throughout the electoral process and use peaceful and democratic means to address any electoral disputes.

64. I am encouraged by the Government's commitment to continued dialogue and the resolve of the opposition not to boycott elections, unlike in 2010. I also remain

convinced that the period ahead represents an opportunity for all Burundians to contribute to the social and political transformation of their country. To achieve credible elections, the Government must help to ensure that the opposition and its leaders are able to fully participate in the elections and in the electoral process; that Burundian citizens, regardless of party affiliation, are free to exercise their civil and political rights, including their rights to freedom of expression and peaceful assembly; that State officials and security forces prevent violence and act impartially and in accordance with the law; and that any individuals committing unlawful acts of political violence are prosecuted without delay.

65. I am convinced that Burundians have all the necessary tools to hold peaceful, inclusive, free and credible elections. These include the Constitution, the Electoral Code, the electoral road map and the code of conduct for the elections. Now, it is the responsibility of all to fully implement the agreements that have been reached. The United Nations, especially MENUB, will lend its full support to the Government, CENI and electoral stakeholders in addressing issues of concern, to help to ensure that Burundi's democratic gains are irreversible. Beyond elections, it is also critical that Burundi focus on strengthening its democratic processes and broadening political space in the country after the polls. I appeal to the country's political class to rise above its partisan interests and build a political culture that is focused on issue-based politics and tackling the country's most urgent socioeconomic challenges as a way of overcoming existing divisions and lifting the country out of poverty.

66. Temporary spikes in crime, the proliferation of weapons, weak civilian oversight, the insufficient professionalization of the police and the continued involvement of the police in human rights violations remain sources of concern. Greater efforts are required to address those challenges in order to achieve long-term security and stability.

67. I take note of the establishment of the Truth and Reconciliation Commission. I hope that it will uncover the truth about past injustices and acts of violence, identify the perpetrators and victims, lead to the emergence of a consensual narrative about Burundi's conflicts and help to bring about genuine reconciliation. I am concerned that the establishment of the Commission was marred by boycotts and disagreements and that it does not enjoy the full confidence of all stakeholders. A faulty transitional justice process is more likely to harm than heal. It risks reopening wounds rather than providing an opportunity to overcome past injustices and build a common future. The Commission must therefore work hard to obtain the trust of all Burundians by carrying out its activities in a credible, impartial and independent manner.

68. A functioning democracy requires an independent justice system that ensures equal treatment under the law, protects a vibrant civil society and human rights defenders, ensures checks and balances and strengthens the public's trust in institutions. I remain concerned about the slow pace of judicial reform, the lack of progress in strengthening the independence of the judiciary and the prevailing culture of impunity. Allegations of judicial bias remain pervasive. Opposition leaders are often prosecuted swiftly and sentenced harshly, while cases against security forces receive far less investigative and judicial follow-up. While I commend recent efforts to competitively recruit magistrates, I call upon the Government to address impunity and accelerate the reform of the judiciary,

including by implementing the recommendations of the National Conference on Justice. I also urge the judiciary to follow international standards and practices, including proportionality in sentencing.

69. I am encouraged that there has been a recent and significant reduction in politically motivated acts of violence carried out by the ruling party's youth wing and a decline in extrajudicial killings and cases of torture and ill-treatment. The reduction in politically motivated violence may be a sign that recent appeals by Government officials and party leaders have been heeded. I urge the Government to carry out equally effective measures to substantially reduce the number of violations of the right to freedom of expression and of peaceful assembly, which persist and represent a major obstacle to credible elections. I am encouraged by the provisional release of Pierre Claver Mbonimpa and call upon the Courts to ensure that Mr. Mbonimpa and previously convicted MSD members receive fair trials. I also commend the growing role played by the Independent National Commission on Human Rights in leading a national effort to protect human rights and call upon the authorities to guarantee the Commission's independence.

70. The Government's agreement to continue hosting an OHCHR stand-alone office in Burundi is another positive development. I call upon Burundi's partners to provide additional support to this new office to ensure effective human rights reporting and monitoring throughout this critical electoral period. Some positive developments notwithstanding, the human rights situation in the country remains worrying. I call upon the Government to heed the advice of the Special Rapporteur on the situation of human rights defenders, including his recommendation to adopt a law ensuring the legal status of human rights defenders.

71. The political situation in Burundi has, for good reason, dominated the public discourse in the country. However, Burundi remains one of the poorest countries in the world. Poverty and unemployment help to create an environment conducive to conflict. Burundi must make the improvement of livelihoods and the fight against poverty a priority. This is crucial to ensure that Burundians have a chance to live in dignity and that the absence of a peace dividend does not trigger renewed conflict. I call upon the country's political leaders to focus less on political manoeuvring and more on developing and implementing practical strategies to bring about sustained economic growth, development and youth empowerment in Burundi. Current efforts need to be strengthened and expanded with a view to tackling youth unemployment, rooting out corruption, strengthening good governance, attracting private capital and increasing investment in infrastructure, energy and agriculture. I appeal to the international community to fully support such efforts and to further strengthen its cooperation with the country over the medium term within the framework of the poverty reduction strategy paper and the cooperation framework led by the Peacebuilding Commission.

72. In the light of the many remaining challenges and the limited progress in achieving the benchmarks, the 2013 United Nations strategic assessment concluded that there is a continued need for a United Nations political presence throughout the 2015 elections. In accordance with the Government's wish to exert greater ownership, the Security Council requested BNUB to draw down by 31 December 2014. The primary responsibility for consolidating peace in the country has always rested with the Government. However, greater ownership of this process carries with it greater responsibility. The departure of BNUB is an important opportunity

for Burundians, especially the political class, to come together and tackle the many challenges they still face, so that current and future generations can enjoy a stable, peaceful, democratic, inclusive and prosperous Burundi. The manner in which Burundi deals with these challenges will be a litmus test of the maturity of its political system and the ability of institutions to foster peace, stability and democratic governance and to meet the socioeconomic needs of the people. I call upon regional leaders and organizations to play a more active role in assisting Burundi in tackling these remaining challenges.

73. The drawdown of BNUB marks an important transition in the Organization's engagement in Burundi. The United Nations will continue to assist and support the Government and people of Burundi in this new phase, through the United Nations country team and its regional offices, in coordination with the Peacebuilding Commission and relevant regional organizations. The United Nations will also accompany the country's electoral process in 2015 through MENUB.

74. I am grateful for the cooperation that the Government of Burundi has extended to BNUB. I also commend Burundi's development partners for their ongoing support to the country's socioeconomic development. I also wish to express my deep gratitude to all the United Nations personnel who have served and continue to serve in Burundi for their commitment and dedication to the consolidation of peace, democracy and stability in the country. Lastly, I would like to pay tribute to my Special Representative, Parfait Onanga-Anyanga, for his outstanding leadership and contribution to the efforts of the United Nations in Burundi, especially during this crucial period in the country's history.

Annex

Benchmarks for the United Nations Office in Burundi pursuant to Security Council resolutions 1959 (2010) and 2027 (2011)

I. Democratic process

Benchmark: Continuing progress in the consolidation of democracy and the resolution of political differences through dialogue

Baseline through 2011: A spirit of dialogue and power-sharing underpinned the 2000 Arusha Peace and Reconciliation Agreement for Burundi (hereinafter "Arusha accords") and was enshrined in the Constitution of Burundi of 2005 and in the composition of the Government in 2005. Observers declared that the 2010 elections had been conducted in conformity with international norms, but they were boycotted by a number of opposition parties, whose leaders subsequently went into exile. The boycott continued to affect political life in Burundi in 2011, and tensions deepened between the Government and the Alliance démocratique pour le changement-Ikibiri (ADC-Ikibiri) grouping of extra-parliamentary opposition parties. Although both sides had confirmed their readiness to collaborate, political dialogue throughout 2011 remained stalled, and no formal meetings were held between the Government and the extra-parliamentary opposition parties.

Developments in 2012:[a] 2012 was marked by an absence of dialogue and little progress in the preparations for the 2015 elections. The law on the status of the political opposition was passed without the consultation of all the parties. The Government established a new Independent National Electoral Commission (Commission électorale nationale indépendante (CENI)), with objections registered from opposition parties concerning its composition. Throughout 2012, various opposition party meetings were prohibited by authorities.

Developments in 2013:[b] In 2013, Burundi made important strides towards a more open and inclusive political dialogue. Key opposition leaders returned from hiding or exile and were included in a series of meetings that led to the adoption of several consensual political agreements. However, the adoption of several restrictive laws and ongoing intimidation, harassment and violent attacks by young people affiliated with the ruling party, Imbonerakure, led to decreasing political space. Efforts by the ruling Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie (CNDD-FDD) to make controversial and wide-ranging changes to the Constitution increased political tensions.

[a] The section summarizes the 2012 assessments of the benchmarks, as presented in the annex to the report of 18 January 2013 (S/2013/36).

[b] The section summarizes the 2013 assessments of the benchmarks, as presented in the annex to the report of 20 January 2014 (S/2014/36).

Indicators of progress	*2014 assessments*
1.1. Increasingly democratic, accountable, representative and effective State institutions	• The number of question-and-answer sessions held with members of the Government in Parliament decreased to 6 in 2014 (35 in 2011, 24 in 2012 and 11 in 2013)
	• Allegations by opposition parties that the Ministry of the Interior played a role in the fragmentation of opposition parties and that CENI is biased, exclusionary and not transparent in managing the electoral process; increased mistrust between the ruling party and the opposition
1.2. Continuing dialogue between political parties and the Government	• Major opposition parties continued to boycott the Permanent Forum for Dialogue among the Political Parties
	• Eight official interactions took place between parties in power and the extra-parliamentary opposition
	• Of 43 political parties, at least 14 have held meetings in various provinces since July. The number of parties that carried out activities increased. However, several parties, including the Mouvement pour la solidarité et le développement (MSD) and the Front pour la démocratie au Burundi (FRODEBU)-Nyakuri continued to experience harassment and disruption of their activities
1.3. Improved legal framework for electoral process management	• The new electoral law, which was promulgated by President Nkurunziza in June 2014, includes changes proposed in the electoral road map, such as the use of a single ballot, the combination of polls and the presence of agents of political parties and independent candidates at polling stations on polling days
1.4. Increasing institutional capacity to move towards the 2015 elections with appropriate international financial and technical support	• CENI established provincial and communal independent electoral commissions and conducted the voter registration process in November and December. However, opposition parties and civil society organizations raised serious concerns about the impartiality of CENI and the exclusion of "political actors" from those commissions
1.5. Increasing national ownership of the electoral process	• The Government allocated approximately 7 billion Burundi francs ($4.5 million) to CENI for the elections

1.6. Political consensus among all stakeholders on movement towards the 2015 elections	• In June, political parties and actors signed a code of conduct for the elections • In October, the United Nations Office in Burundi (BNUB) and the Government organized a third evaluation meeting of the implementation of the electoral road map towards free, transparent, inclusive and peaceful elections in 2015 • The National Assembly was divided regarding the constitutional amendments sponsored by CNDD-FDD and narrowly rejected the draft amendments in March • The Government remained committed to political dialogue and opposition parties and actors reinforced their determination to participate in the elections in 2015 despite reservations about the transparency and inclusivity of preparations for the electoral process
1.7. Increasing percentage of the population believing in the credibility of the elections	• Data not available in 2014

II. Security and stability

Benchmark: A strengthening and sustainable security structure enabling Burundi to respond effectively to domestic and international security concerns while respecting global norms and rights

Baseline through 2011: A significant number of small arms remained in circulation (100,000 households according to the Small Arms Survey in 2007), notwithstanding the first civilian disarmament campaign in 2009 and efforts made through the earlier disarmament, demobilization and reintegration programme. The integration of former combatants into the Burundian National Defence Forces and the Burundian National Police, the rightsizing of both forces and their respect for ethnic proportionality greatly contributed to overall stability and security. However, human rights abuses by security forces in 2010 and 2011 highlighted the need for continued professionalization and enhanced civilian oversight.

Developments in 2012: No significant reduction in the circulation of small arms was noted; however, progress was made regarding the registration of the weapons of the national defence forces. The first draft of a national security strategy was prepared but not finalized. There were only minor reductions in the rightsizing of the security and national defence forces, and the National Security Council, which was created in 2012, was hampered by the absence of a clear strategy. Human rights violations by members of the national police continued to be a source of concern.

Developments in 2013: The impact of the second national voluntary disarmament campaign in reducing armed violence and curbing the proliferation of small arms and light weapons in Burundi was very limited. However, significant progress was made in registering and marking nearly all the weapons of the national police and the national defence forces. While the Government completed the strategic plan of the national police and adopted the national security strategy, civilian oversight in respect of the security and national defence forces remained weak.

Indicators of progress	*2014 assessments*
2.1. Progress made in civilian disarmament and in the management and control of small arms and light weapons	• The second national voluntary disarmament campaign collected 52 rifles, 504 grenades and 825 cartridges
2.2. Progress made in the rightsizing of the security and defence forces	• The national defence forces recruited 49 new officers, bringing the total number to approximately 26,000 (target 25,000). Since the police did not undertake a recruitment exercise in 2014, its strength remained at approximately 16,000 (target 15,000)
2.3. Increasing civilian oversight in respect of the security and defence forces in compliance with the current constitution, laws and regulations	• BNUB continued to support the permanent secretariat of the National Security Council, including in implementing the national security strategy
	• The National Security Council met three times in 2014
2.4. Increasing professionalization of the security and defence forces	• The Independent National Commission on Human Rights and BNUB trained and certified 15 military, 10 police and 10 intelligence officers as human rights trainers
2.5. Increasing confidence of the population in the service delivery of the security and defence forces	• Data not available in 2014

III. Transitional justice

Benchmark: Continuing progress in transitional justice to advance victims' rights, the fight against impunity and national reconciliation

Baseline through 2011: Transitional justice is the major remaining feature of the Arusha accords for which implementation lagged. Following broad national consultations in 2009 and 2010 and extensive work undertaken by a Government technical committee, a new draft law on the establishment of a truth and reconciliation commission was presented to Parliament in October 2011.

Developments in 2012: A revised draft law on the truth and reconciliation commission was submitted to Parliament in December. The law was not adopted. No progress was achieved regarding all other indicators on transnational justice in 2012.

Developments in 2013: The draft law on the truth and reconciliation commission was debated in the Justice and Human Rights Commission of the National Assembly. The law was not adopted, however, owing to disagreements between CNDD-FDD and the Union pour le progrès national (UPRONA) and FRODEBU-Nyakuri parties.

Indicators of progress	*2014 assessments*
3.1. Establishment of a truth and reconciliation commission in line with the 2009 national consultations, the work of the technical committee of 2011, international standards and applicable legal instruments	• The draft bill on the truth and reconciliation commission submitted by the Government in December 2012 was debated and adopted by Parliament in April. In May 2014, President Nkurunziza promulgated the law • UPRONA and FRODEBU-Nyakuri boycotted the vote on the grounds that the selection process of the members and the bureau of the Truth and Reconciliation Commission was unlikely to guarantee its independence and that the law did not establish a judicial mechanism • Leading opposition parties boycotted the selection process of new commissioners • In December, the National Assembly elected the 11 members of the Truth and Reconciliation Commission
3.2. Establishment of a special tribunal in line with the 2009 national consultations, the work of the technical committee of 2011, international standards and applicable legal instruments	• The law on the Truth and Reconciliation Commission does not contain any provisions to establish a special tribunal
3.3. Existence of a follow-up mechanism for the implementation of recommendations of a truth and reconciliation commission	• No progress made in 2014
3.4. Increasing ability of the political leadership to bring about reconciliation between the victims and perpetrators of past crimes	• No progress made in 2014
3.5. Increasing level of satisfaction with the transitional justice process	• Not applicable in 2014
3.6. Increasing percentage of the population believing that reconciliation has been achieved	• Data not available in 2014

IV. Governance and institution-building

Benchmark: Increasing State authority through legitimate, democratic, accountable and effective institutions

Baseline through 2011: Following the adoption of the 2005 Constitution, key new institutions envisaged have successively been established, including the National Communications Council (2007), the National Security Council (2008), the Permanent Forum for Dialogue among the Political Parties (2010) and the Independent National Commission on Human Rights (2011). In 2011, with assistance from the United Nations and other partners, Burundi developed a number of important strategies reflecting national governance priorities, including the national strategy on good governance and the fight against corruption. The establishment of the Anti-corruption Brigade (2006), the Anti-corruption Court (2006), the Office of the Ombudsman (2011) and the Burundi Revenue Authority (2011) were important institutional developments to enhance the efficiency and accountability of the Government. While corruption remained a serious concern, the beginnings of sustained improvement were evident.

Developments in 2012: 2012 saw little progress in the implementation of the national strategy on good governance and the fight against corruption. The amount of revenue collected by the Burundi Revenue Authority increased, and Burundi significantly improved its ranking in the World Bank's "ease of doing business index". The implementation of the national programme for the reform of the administration, adopted in April 2012, proved challenging.

Developments in 2013: While Burundi improved its ranking in the World Bank's "ease of doing business index" for the third time in a row, corruption in the country remained widespread. Despite President Nkurunziza's zero tolerance policy against corruption, Burundi moved from being the least corrupt country in East Africa to the second most corrupt.

Indicators of progress	*2014 assessments*
4.1. Increasing proportion of seats held by women in Parliament and in elected and appointed bodies at all levels	• As in 2013, 32 per cent of National Assembly members, 46 per cent of Senate members, 35 per cent of ministers, 6 per cent of provincial governors and 33 per cent of communal administrators were women
4.2. Decreasing corruption in the public and private sectors	• Transparency International's Corruption Perceptions Index ranked Burundi as the 159th most corrupt country out of 175 (157th in 2013)
	• The Anti-corruption Brigade transmitted 260 complaints of corruption to the Procureur général in 2014 (247 in 2013)
	• The Anti-corruption Court registered 172 cases in 2014 (205 in 2013). The Court delivered sentences for 217 cases in 2014 (169 in 2013)

4.3. Increasingly transparent, accountable and efficient national institutions	• The Office of the Ombudsman received 191 complaints in 2014 (as at 31 October) (131 in 2013) and dealt with 54 cases (140 in 2013).The Court of Audit (Cour des comptes) carried out an audit of all communes to help to establish a culture of accountability at the local level
4.4. Progress made in the quality of public administration	• The tax revenue collected by the Burundi Revenue Authority in 2014 was 630 billion Burundi francs, compared with 505 billion Burundi francs in 2013

V. Rule of law

Benchmark: An increasingly independent, accessible and credible justice system upholding human rights

Baseline through 2011: In 2011, the Ministry of Justice sectorial policy for the period 2011-2015 was developed, reaffirming the Government's commitment to strengthening the independence of the judiciary, enhancing good governance in the justice sector, making justice available to all and improving criminal justice. However, the document did not address reforms concerning the status of magistrates.

Developments in 2012: Implementation of the Ministry of Justice sectorial policy for the period 2011-2015 commenced in 2012. A national preparatory commission was set up to organize the National Conference on Justice (Etats généraux de la justice) while workshops were carried out throughout the country to collect the views of stakeholders on areas in need of reform. Following the implementation of a presidential pardon and release on parole, the total prison population decreased by 29.7 per cent in 2012. A draft code on judicial ethics was prepared but not adopted, and magistrates were not recruited through a competitive examination as required by law.

Developments in 2013: There were some positive developments in the justice sector, notably the adoption of new court regulations and the promulgation of a new criminal procedure code that is in conformity with international standards. At the same time, progress in establishing an independent judiciary remained slow. While the National Conference on Justice was finally held, its recommendations to strengthen the independence of the judiciary were not adopted. In addition, magistrates still were not recruited through a competitive examination as required by law.

Indicators of progress	*2014 assessments*
5.1. Decreasing ratio of pretrial detainees to the overall prison population	• The ratio of pretrial detainees to the overall prison population increased slightly from 51 per cent in 2013 to 54 per cent in 2014 • The overall prison population decreased by 8.5 per cent in 2014 mainly owing to a presidential pardon in June and the conditional release of certain categories of prisoners

5.2. Increasing proportion of law enforcement officials trained in rules of conduct concerning proportional use of force, arrest, interrogation, detention or punishment	• 50 law enforcement and intelligence officials were trained as trainers on human rights and international humanitarian law
5.3. Increasingly simple and systematic access to the results of commissions of inquiry for those authorized	• There was no commission of inquiry in 2014
5.4. Increasing number of criminals brought to justice	• Data not available in 2014
5.5. Improving the management of prisons, to better comply with human rights standards	• The prison occupancy rate slightly decreased from 188 per cent in 2013 to 186 per cent in 2014
5.6. Progress made in the adoption and implementation of legislation on magistrates, in the professionalization of magistrates and in the organization and effectiveness of the Supreme Council of Magistrates	• There was no progress regarding the reform of the status of magistrates and the High Council of Magistrates • The first ever competitive examination process for the selection of aspiring magistrates took place in June and July. Out of a total of 732 candidates who sat the exam, 76 were selected • A strategic plan on preventing and combating corruption and other abuses in the justice sector was completed in October
5.7. Progress made in the independence of the judiciary	• The follow-up committee to the National Conference on Justice was established by the Minister of Justice but its inclusivity was questioned by national and international stakeholders • The working group on the independence of the judiciary did not meet in 2014 • Opposition parties alleged politically motivated trials, violations of due process and disproportionate sentencing against leaders and members of opposition parties
5.8. Increasing percentage of the population expressing confidence in the judicial system	• Data not available in 2014

VI. Human rights

Benchmark: A deepening culture of protection and the promotion of human rights in Burundi

Baseline through 2011: The aftermath of the 2010 elections saw a marked increase in serious human rights violations, in many cases reportedly perpetrated by members of the security or national defence forces. In 2010, BNUB/the United Nations High Commissioner for Human Rights (OHCHR) documented 40 cases of extrajudicial, arbitrary or summary executions and/or politically motivated killings and 30 cases of torture (61 and 36 cases, respectively, in 2011). The establishment of the Independent National Commission on Human Rights in 2011 was an important step but concerns about case follow-up remained.

Developments in 2012: The human rights situation in 2012 was characterized by a significant decrease in the number of extrajudicial executions documented by BNUB (30 compared with 61 in 2011), of which only four were likely to have been politically motivated (about 20 in 2011). However, perpetrators in only 6 of the 30 cases were arrested and tried in a court of law, all resulting in convictions. The Independent National Commission on Human Rights opened three regional offices and investigated 480 cases, compared with only 107 in 2011.

Developments in 2013: The human rights situation in Burundi remained a cause for concern. Cases of extrajudicial killings, the adoption of restrictive laws and acts of intimidation, harassment and violence allegedly committed by members of Imbonerakure further shrank the political space available for opposition parties, the media and civil society.

Indicators of progress	*2014 assessments*
6.1. Increasing proportion of human rights violations — including cases of disappearances and extrajudicial killings — investigated by the judiciary, and perpetrators arrested, judged and/or serving sentences	• Of the seven documented cases of extrajudicial executions in 2014 (35 in 2013), four are under investigation by the judiciary and three resulted in convictions • Of the 35 cases of extrajudicial executions documented by BNUB in 2013, 27 are under investigation by the judicial authorities. Six of those have resulted in convictions • Of the 67 cases of torture and ill-treatment in 2014, 17 are under investigation. None of the perpetrators have been tried in a court of law • Of the 125 documented cases of torture and ill-treatment in 2013, 89 have been investigated by the police and the judicial authorities, resulting in three convictions
6.2. Increasing frequency and timeliness of reports submitted to the relevant bodies	• Burundi was examined by the Human Rights Committee in October 2014 and by the Committee against Torture in November 2014. No progress was registered regarding the establishment of a national preventive mechanism as prescribed by the Optional Protocol to the Convention against Torture, which Burundi ratified in September 2013

6.3. Decreasing instances of torture or cruel, inhuman or degrading treatment or punishment perpetrated by an agent of the State or any other person acting under Government authority or with its complicity	• BNUB documented 67 cases of torture and ill-treatment in 2014 (125 in 2013)
6.4. Increasing effectiveness of the Independent National Commission on Human Rights, including through the establishment of a monitoring network on human rights, by civil society organizations, which contributes to the activities of the Commission	• The Independent National Commission on Human Rights presented its annual report in August. Of the 251 cases registered, 106 were concluded and 137 are still under investigation. The remaining eight cases were not human right violations. On 20 August, two new commissioners were elected to replace the two whose terms had expired in June
6.5. Rolling adoption of priority international and regional human rights instruments and increasing conformity of national human rights instruments with relevant international and regional instruments	• No progress in 2014
6.6. Strengthening of structures dealing with the protection of vulnerable groups	• Data not available in 2014
6.7. Progress made in ensuring freedom of the media and civil society	• Ten cases of violation of freedom of the press were documented by BNUB in 2014 (five in 2013)

VII. Social and economic development

Benchmark: Improving living standards of the population, delivery of basic services to the most vulnerable and conditions for economic recovery

Baseline through 2011: Despite the Government's efforts, Burundi suffered from widespread poverty, land scarcity combined with high population density, food insecurity and high youth unemployment. Although Burundi's human development index has constantly increased since 2000, the country still ranked 185th of 187 countries in 2011.

Developments in 2012: Burundi's socioeconomic challenges remained unchanged. Its human development index increased from 0.316 in 2011 to 0.355 in 2012, moving the country from 185th place in 2011 to 172nd place (out of 186 countries) in 2012.

Developments in 2013: Despite Government efforts to improve the socioeconomic situation of the country, widespread poverty, land scarcity, food insecurity and high youth unemployment remained prevalent. Burundi continued to be one of the poorest countries in the world, ranking last on the 2013 Global Hunger Index and 178th out of 187 countries on the human development index.

Indicators of progress	*2014 assessments*
8.1. Decreasing proportion of the population living on less than $1.25 per day	• The poverty rate was 67 per cent in 2006 (no new data available for 2014)
	• Burundi ranks last on the 2014 Global Hunger Index (same as in 2013)
8.2. Improving enrolment and completion ratios in primary education	• In 2013/14, primary school net enrolment was 96 per cent (same as in 2010/11; no data available for the period 2011-2013)
8.3. Decreasing number of internally displaced persons	• The number of internally displaced persons remained stable in 2014 (approximately 78,000)
8.4. Increasing proportion of children aged 12-23 months immunized against contagious diseases	• In 2013, 96 per cent of children were completely vaccinated (no new data available for 2014)
8.5. Increasing proportion of the population with access to potable water and electricity	• In 2008, access to electricity was 4.8 per cent (no new data available for 2014)
8.6. Improving youth employment rate	• Youth unemployment is estimated to be very high (no concrete data available)
8.7. Increasing number of youth and women with access to basic social services	• Data not available in 2014
8.8. Improving legislative and regulatory environment favouring business and investment	• Burundi ranked 152nd of 189 countries in the World Bank's 2014 "ease of doing business index"
8.9. Improving socioeconomic situation of refugees, repatriated persons and internally displaced persons	• Data not available in 2014
8.10. Increasing percentage of the population feeling that the standard of living is rising	• Data not available in 2014